

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:23-cv-818-RJC-DCK**

**GEORGE MOORE and JAMES JILEK,)
on behalf of themselves and others)
similarly situated,)**

Plaintiffs,)

v.)

**COMPASS GROUP USA, INC., D/B/A)
CANTEEN,)**

Defendant.)

ORDER

THIS MATTER is before the Court on the parties Join Motion for Consent Order, (Doc. No. 285), regarding Plaintiffs' Pending Motion for Class Certification, (Doc. No. 257-1), and Defendant's Pending Motion to Strike, (Doc. No. 262).

This case was transferred to this Court on December 1, 2023. While this case was pending in the Eastern District of Missouri, the following motions were filed and remain pending: Plaintiff's Motion for Class Certification, (Doc. No. 257-1) and Defendant's Motion to Strike, (Doc. No. 262). Now that the case has been transferred to this Court, the motions will be governed by case law in the Fourth Circuit and therefore need to be re-briefed. Both parties consent to the entry of this Order.

IT IS, THEREFORE, ORDERED that:

1. Plaintiffs' Motion for Class Certification, (Doc. No. 257-1), and Defendant's Motion to Strike (Doc. No. 262), are withdrawn;

2. The motion for class certification shall be refiled no later than 30 days from the date of this order; Defendant's response brief to the motion for class certification and Defendant's motion to strike are due 30 days after the class certification motion is filed; Plaintiffs' reply brief in support of the motion for class certification and responsive brief to the motion to strike are due 30 days thereafter; Defendant's reply brief in support of its motion to strike is due 21 days thereafter;
3. With respect to the motion for class certification, the page limits in effect under the Case Management Order in the transferor Court will remain in effect (40 pages for the principal briefs; 25 pages for the reply brief); page limits for the other motion will be governed by the local rules of this Court; and
4. The hearing date on both motions, if any, will be set by the Court at a later date.

IT IS SO ORDERED.

Signed: February 8, 2024



Robert J. Conrad, Jr.
United States District Judge

